

PUBLIC HEARING

14

DEPARTMENT OF THE NAVY
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR THE CONTAINER SYSTEM FOR THE MANAGEMENT OF
NAVAL SPENT NUCLEAR FUEL
AT FORT HALL, IDAHO
JUNE 3, 1996
AFTERNOON SESSION

MODERATOR: Lieutenant Timothy Sullivan, USN

SPEAKERS: Mr. Elmer Naples
Mr. William Knoll

REPORTED BY:
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1 Our next speaker will be Nancy
2 Murillo.

3 MS. MURILLO: Nancy E. Murillo, P.O.
4 Box 663, Fort Hall, Idaho, 83203. I am an
5 individual member of the Shoshone-Bannock tribes,
6 Fort Hall Indian Reservation.

7 I have a grave concern in reference to
8 the radioactive waste spent fuel that is being
9 stored at INEL and has been occurring since
10 1957.

11 As an American Indian and member of
12 Shoshone-Bannock tribes, these tribes have been
13 in existence since who knows when, for millions
14 of years perhaps, not millions, but thousands and
15 thousands of years in reference to their
16 aboriginal lands here from Nevada to Canada,
17 primarily set here on the Fort Hall Indian
18 Reservation in 1868.

19 We roamed the entire areas for a
20 nomadic tribe gathering and hunting. It seems
21 that the federal agencies in '57 throughout have
22 not really had great consultation or any
23 consultation with the Shoshone-Bannock tribes
24 that live here on the Fort Hall Indian
25 Reservation. We are a little over a half-million

A

1 acres. INEL is just a little bit larger, they
2 are a federal reserve. However, we are the
3 stewards of this land.

4 As a member of the tribe I feel I want
5 to express my concern about that fuel being there
6 initially and as it goes through Fort Hall Indian
7 Reservation and as it will leave. The sooner it
8 leaves the better for our folks. The aquifer, it
9 has felt that there has been some contaminants
10 there. It seems to be within the realm of
11 belief.

12 Many technologies that have occurred in
13 this new day and age affects the reservation
14 life, reservation land and natural resources.
15 INEL is just one of those affects that impacts
16 our livelihood and our survival.

17 Many of our folks hunt and fish in that
18 area and INEL is right in that sacred area that
19 we have. People that have been buried, traveled
20 towards the mountain area of the Challis and
21 Salmon areas.

22 I believe it needs to be known that
23 American Indian people are here in the United
24 States, they are surviving, they have survived
25 the wars of many years with the non-Indian. We

1 have given up a lot.

2 This reservation has been built I would
3 say on blood and we were placed here to protect
4 the immigrants that were coming through. We are
5 here now to protect our own people, Shoshone-
6 Bannock Indian people and their children and
7 great-grandchildren and so forth.

8 Insofar as the casks are concerned, the C
9 safer the better. Let's get them out as soon as
10 we can. And I believe with the Shoshone-Bannock D
11 tribes that they need to be included in every
12 aspect of what occurs at INEL, particularly with
13 the transportation, what is occurring out there
14 at the INEL.

15 The Shoshone-Bannock tribes' tribal E
16 governing body should be included on any
17 discussions, we are a sovereign nation or I would
18 say like a state within a state and our
19 president, our Governor, is the chairman of the
20 Fort Hall Business Counsel.

21 Indian people have offered too much and
22 they need to go forth and speak and let it be
23 known that we are here and we will be here for
24 many, many, many, many, many years. Thank you.

25 LIEUTENANT SULLIVAN: Thank you,

Commenter: Nancy E. Murillo - Shoshone-Bannock Tribe Member, Idaho

Response to Comment:

- A. The Navy is currently involved in negotiating an agreement with the tribes covering the transportation of naval spent nuclear fuel across the Fort Hall Reservation, including the current shipments that come from the shipyards and prototype sites. The Navy has also participated in other meetings and briefings for all members of the Tribes or the Tribal Business Council related to naval spent nuclear fuel. Concerns expressed and issues identified during those meetings assisted the Navy in formulating the Draft EIS.
- B. The Navy has taken steps, including the process of selecting an appropriate container system as described in this EIS, to ensure that naval spent nuclear fuel is among the early shipments of spent fuel to the first repository or interim storage facility. In addition to evaluating container systems, this EIS covers modifications to facilities to support loading naval spent nuclear fuel into containers suitable for dry storage and the location and construction of dry storage facilities at Idaho National Engineering Laboratory.
- C. In Chapter 3, Section 3.8, Comparison of Alternatives, the EIS states that the impacts for most categories are small or nonexistent for all alternatives. Since 1957, the Navy has safely shipped over 660 containers of spent nuclear fuel from the shipyards and prototype sites to the Naval Reactors Facility. All of the shipments were made safely by rail and without release of radioactivity. Since any container alternative selected for dry storage and transportation (either by rail, heavy-haul truck, or a combination of both) must meet the requirements of 10 CFR Part 71, Packaging and Transportation of Radioactive Material, and 10 CFR Part 72, Licensing Requirements for the Independent Storage of Spent Nuclear Fuel and High-Level Waste, other containers can also be used safely and reliably.
- D.&E. The Navy is currently involved in negotiating an agreement with the tribes covering transportation of naval spent fuel across the Fort Hall Reservation, including the current shipments that come from the shipyards and prototype sites. Five federal laws prompt consultation between federal agencies and Indian tribes: The National Environmental Policy Act, the National Historic Preservation Act, the American Indian Religious Freedom Act, the Archeological Resources Protection Act, and the Native American Graves Protection and Repatriation Act (NAGPRA). In accordance with these directives and in consideration of its Native American Policy, Department of Energy is developing procedures at the Idaho National Engineering Laboratory for consultation and coordination with the Shoshone-Bannock Tribes of the Fort Hall Reservation. Department of Energy has committed to additional interaction and exchange of information with the Shoshone-Bannock Tribes, and has outlined this relationship in a formal Working Agreement with these tribes. In addition, the Cultural Resources Management Plan for the Idaho National Engineering Laboratory and curation agreement for permanent storage of archeological materials is expected to be completed shortly. The Cultural Resources Management Plan will define procedures for involving the tribes during the planning stages of project development and the curation agreement will provide for the repatriation of burial goods in accordance with NAGPRA.